

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article, namely, in the above-mentioned circulars, leaflets, and circular inserts, accompanying the article, were false and misleading. The statements represented and suggested that the article was a new "discovery"; that its use would insure sexual compatibility and happiness in marriage; that it would eliminate female frigidity; and that it would not diminish sensation. The article was not new; it could not be relied upon to accomplish the purposes for which it was recommended; and it would diminish sensation by reason of its local anesthetic action. The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: June 24, 1953. The North Pharmacal Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the above-mentioned circulars, leaflets, and circular inserts be destroyed, and that the product be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

✓ **4177. Misbranding of Rado pads. U. S. v. 22 Pads, etc. (F. D. C. No. 35288. Sample No. 69676-L.)**

LIBEL FILED: May 29, 1953, District of Colorado.

ALLEGED SHIPMENT: On or about April 30, 1953, from Missoula, Mont., by the Rado Pad Co.

PRODUCT: 22 cellophane-wrapped pads measuring 15 by 15 inches and 10 cellophane-wrapped pads measuring 9 by 9 inches, designated as the *Rado Pad*, at Denver, Colo., together with 85 pamphlets entitled "Now! The Rado Pad Co."

Examination showed that the device was a cloth pad containing crushed ore and that it did not have a significant amount of radioactivity.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the above-mentioned pamphlets accompanying the article were false and misleading since the statements represented and suggested that the article provided an adequate and effective treatment for arthritis, sinus conditions, rheumatism, and all muscular ailments, whereas the article did not provide an adequate and effective treatment for such conditions.

DISPOSITION: July 13, 1953. Default decree of condemnation. The court ordered that the devices and the pamphlets be turned over to the Food and Drug Administration.

4178. Misbranding of Master violet ray outfit. U. S. v. 14 Packages, etc. (F. D. C. No. 35294. Sample Nos. 50206-L, 50207-L.)

LIBEL FILED: June 8, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about October 10, 1951, and April 2, 1952, by Master Appliances, Inc., from Marion, Ind.

PRODUCT: 14 packages designated "Master Violet Ray Outfit No. 2B," each package containing an electrical device labeled in part, "Master Appliances Inc * * * UL Marion, Indiana" and 3 glass tubes designated "No. 1 General Electrode," "No. 3 Comb-Rake Electrode," and "No. 12a Glass Electrode," and 9 packages designated "Master Violet Ray Outfit No. 9," each package containing an electrical device labeled, in part, "Master Appliances Inc * * * UL Marion, Indiana" and one glass tube designated "No. 1 General Electrode," at New York, N. Y. Each package when shipped contained also a circular entitled "The Master High Frequency (Violet Ray)." In addition, a number